



**Billing Code 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 65**

**Docket ID FEMA-2012-0003**

**Changes in Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents.

**DATES:** The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

**ADDRESSES:** The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for each community listed. These modified BFEs have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modified BFEs are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter

requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

These modified BFEs are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

#### **List of Subjects in 44 CFR Part 65**

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

**PART 65—[AMENDED]**

1. The authority citation for part 65 continues to read as follows:

**Authority:** 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p.376.

**§ 65.4 [Amended]**

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Mobile (FEMA Docket No.: B-1240)	City of Mobile (11-04-2597P)	November 10, 2011 November 17, 2011 <u><i>The Press-Register</i></u>	The Honorable Samuel L. Jones Mayor, City of Mobile 205 Government Street South Tower, 10th Floor Mobile, AL 36602	March 16, 2012	015007
Alabama: Mobile (FEMA Docket No.: B-1235)	Unincorporated areas of Mobile County (11-04-1739P)	October 27, 2011 November 3, 2011 <u><i>The Press-Register</i></u>	The Honorable Merceria Ludgood Chair, Mobile County Commission 205 Government Street Mobile, AL 36644	March 2, 2012	015008
Arizona: Coconino (FEMA Docket No.: B-1244)	City of Flagstaff (11-09-0801P)	October 27, 2011 November 3, 2011 <u><i>The Arizona Daily Sun</i></u>	The Honorable Sara Presler Mayor, City of Flagstaff 211 West Aspen Avenue Flagstaff, AZ 86001	March 2, 2012	040020
Arizona: Maricopa (FEMA Docket No.: B-1244)	City of Peoria (11-09-3985P)	December 8, 2011 December 15, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Bob Barrett Mayor, City of Peoria 8401 West Monroe Street Peoria, AZ 85345	November 29, 2011	040050
California: Orange (FEMA Docket No.: B-1240)	City of Laguna Beach (11-09-3647P)	November 4, 2011 November 11, 2011 <u><i>The Laguna Beach Coastline Pilot</i></u>	The Honorable Toni Iseman Mayor, City of Laguna Beach 505 Forest Avenue Laguna Beach, CA 92651	March 12, 2012	060223
California: Santa Clara (FEMA Docket No.: B-1240)	City of San Jose (12-09-0140P)	December 2, 2011 December 9, 2011 <u><i>The San Jose Mercury News</i></u>	The Honorable Chuck Reed Mayor, City of San Jose 200 East Santa Clara Street San Jose, CA 95113	December 22, 2011	060349
Colorado: Adams (FEMA Docket No.: B-1235)	City of Commerce City (10-08-1048P)	October 25, 2011 November 1, 2011 <u><i>The Commerce City Sentinel Express</i></u>	The Honorable Paul Natale Mayor, City of Commerce City 7887 East 60th Avenue Commerce City, CO 80022	March 2, 2012	080006
Colorado: El Paso (FEMA Docket No.: B-1240)	City of Colorado Springs (11-08-0869P)	November 2, 2011 November 9, 2011 <u><i>The El Paso County Advertiser and News</i></u>	The Honorable Steve Bach Mayor, City of Colorado Springs 30 South Nevada Avenue Colorado Springs, CO 80903	March 8, 2012	080060

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Colorado: El Paso (FEMA Docket No.: B-1240)	Unincorporated areas of El Paso County (11-08-0869P)	November 2, 2011 November 9, 2011 <u><i>The El Paso County Advertiser and News</i></u>	The Honorable Dennis Hisey Chairman, El Paso County Board of Commissioners 27 East Vermijo Avenue Colorado Springs, CO 80903	March 8, 2012	080059
Colorado: Routt (FEMA Docket No.: B-1244)	Town of Hayden (11-08-0603P)	November 6, 2011 November 13, 2011 <u><i>The Steamboat Pilot &amp; Today</i></u>	The Honorable Jim Haskins Mayor, Town of Hayden 178 West Jefferson Avenue Hayden, CO 81639	March 12, 2012	080157
Colorado: Weld (FEMA Docket No.: B-1244)	City of Fort Lupton (11-08-0714P)	November 9, 2011 November 16, 2011 <u><i>The Greeley Tribune</i></u>	The Honorable Tommy Holton Mayor, City of Fort Lupton 130 South McKinley Avenue Fort Lupton, CO 80621	March 15, 2012	080183
Colorado: Weld (FEMA Docket No.: B-1244)	Unincorporated areas of Weld County (11-08-0714P)	November 9, 2011 November 16, 2011 <u><i>The Greeley Tribune</i></u>	The Honorable Douglas Rademacher Chairman, Weld County Board of Commissioners 1150 O Street Greeley, CO 80631	March 15, 2012	080266
Florida: Escambia (FEMA Docket No.: B-1240)	Unincorporated areas of Escambia County (11-04-7674P)	November 25, 2011 December 2, 2011 <u><i>The Pensacola News Journal</i></u>	The Honorable Wilson Robertson Chairman, Escambia County Board of Commissioners 221 Palafox Place, Suite 400 Pensacola, FL 32502	November 17, 2011	120080
Florida: Indian River (FEMA Docket No.: B-1240)	Town of Indian River Shores (11-04-7942P)	November 25, 2011 December 2, 2011 <u><i>The Indian River Press Journal</i></u>	The Honorable Thomas W. Cadden Mayor, Town of Indian River Shores 6001 North Highway A1A Indian River Shores, FL 32963	November 17, 2011	120121
Florida: Lee (FEMA Docket No.: B-1240)	Unincorporated areas of Lee County (12-04-0044P)	November 25, 2011 December 2, 2011 <u><i>The News-Press</i></u>	The Honorable John Manning Chairman, Lee County Board of Commissioners 2120 Main Street Fort Myers, FL 33901	November 17, 2011	125124

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Florida: Lee (FEMA Docket No.: B-1244)	Unincorporated areas of Lee County (12-04-0347P)	December 7, 2011 December 14, 2011 <u><i>The News-Press</i></u>	The Honorable John Manning Chairman, Lee County Board of Commissioners 2120 Main Street Fort Myers, FL 33901	November 29, 2011	125124
Florida: Orange (FEMA Docket No.: B-1240)	City of Orlando (11-04-7338P)	November 22, 2011 November 29, 2011 <u><i>The Orlando Sentinel</i></u>	The Honorable Buddy Dyer Mayor, City of Orlando 400 South Orange Avenue Orlando, FL 32802	March 28, 2012	120186
Florida: Orange (FEMA Docket No.: B-1244)	City of Orlando (11-04-8600P)	December 5, 2011 December 12, 2011 <u><i>The Orlando Sentinel</i></u>	The Honorable Buddy Dyer Mayor, City of Orlando 400 South Orange Avenue Orlando, FL 32802	November 22, 2011	120186
Hawaii: Hawaii (FEMA Docket No.: B-1240)	City and County of Honolulu (11-09-3899P)	November 10, 2011 November 17, 2011 <u><i>The Honolulu Star-Advertiser</i></u>	The Honorable Peter B. Carlisle Mayor, City and County of Honolulu 530 South King Street, Room 300 Honolulu, HI 96813	March 16, 2012	150001
Mississippi: DeSoto (FEMA Docket No.: B-1235)	City of Olive Branch (11-04-4496P)	October 27, 2011 November 3, 2011 <u><i>The DeSoto Times-Tribune</i></u>	The Honorable Sam Rikard Mayor, City of Olive Branch 9200 Pigeon Roost Road Olive Branch, MS 38654	March 2, 2012	280286
Mississippi: Lee (FEMA Docket No.: B-1240)	City of Saltillo (10-04-8523P)	November 4, 2011 November 11, 2011 <u><i>The Northeast Mississippi Daily Journal</i></u>	The Honorable Bill Williams Mayor, City of Saltillo 395 Mobile Street Saltillo, MS 38866	March 12, 2012	280261
Mississippi: Lee (FEMA Docket No.: B-1240)	Unincorporated areas of Lee County (10-04-8523P)	November 4, 2011 November 11, 2011 <u><i>The Northeast Mississippi Daily Journal</i></u>	The Honorable Joe McKinney Chairman, Lee County Board of Supervisors 200 West Jefferson Street, Suite 100 Tupelo, MS 38801	March 12, 2012	280227

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
New Mexico: Chaves (FEMA Docket No.: B-1244)	City of Roswell (11-06-0142P)	November 17, 2011 November 24, 2011 <u><i>The Roswell Daily Record</i></u>	The Honorable Del Jurney Mayor, City of Roswell 425 North Richardson Avenue Roswell, NM 88202	March 23, 2012	350006
New Mexico: Chaves (FEMA Docket No.: B-1244)	Unincorporated areas of Chaves County (11-06-0142P)	November 17, 2011 November 24, 2011 <u><i>The Roswell Daily Record</i></u>	The Honorable Stanton L. Riggs Chaves County Manager 1 Saint Mary's Place Roswell, NM 88203	March 23, 2012	350125
New Mexico: Santa Fe (FEMA Docket No.: B-1244)	Unincorporated areas of Santa Fe County (11-06-0697P)	November 29, 2011 December 6, 2011 <u><i>The Santa Fe New Mexican</i></u>	The Honorable Virginia Vigil Chairman, Santa Fe County Commissioners 102 Grant Avenue Santa Fe, NM 87501	November 23, 2011	350069
New York: Dutchess (FEMA Docket No.: B-1244)	Town of Dover (12-02-0166P)	November 23, 2011 November 30, 2011 <u><i>The Poughkeepsie Journal</i></u>	The Honorable Ryan Courtien Supervisor, Town of Dover 126 East Duncan Hill Road Dover Plains, NY 12522	May 3, 2012	361335
North Carolina: Stanly (FEMA Docket No.: B-1244)	City of Albemarle (11-04-3287P)	November 3, 2011 November 10, 2011 <u><i>The Stanly News &amp; Press</i></u>	The Honorable Elbert L. Whitley, Jr. Mayor, City of Albemarle 144 North 2nd Street Albemarle, NC 28001	March 9, 2012	370223
North Carolina: Stanly (FEMA Docket No.: B-1244)	Unincorporated areas of Stanly County (11-04-3287P)	November 3, 2011 November 10, 2011 <u><i>The Stanly News &amp; Press</i></u>	Mr. Andy Lucas Stanly County Manager 1000 North 1st Street, Suite 10 Albemarle, NC 28001	March 9, 2012	370361
Texas: Denton (FEMA Docket No.: B-1244)	City of Denton (11-06-3838P)	November 17, 2011 November 24, 2011 <u><i>The Denton Record-Chronicle</i></u>	The Honorable Mark A. Burroughs Mayor, City of Denton 215 East McKinney Street Denton, TX 76201	November 10, 2011	480194
Texas: Tarrant (FEMA Docket No.: B-1244)	City of Southlake (11-06-2709P)	November 10, 2011 November 17, 2011 <u><i>The Fort Worth Star-Telegram</i></u>	The Honorable John Terrell Mayor, City of Southlake 1400 Main Street, Suite 270 Southlake, TX 76092	March 16, 2012	480612



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Virginia: Loudoun (FEMA Docket No.: B-1244)	Unincorporated areas of Loudoun County (11-03-0738P)	November 30, 2011 December 7, 2011 <u><i>The Loudoun Times Mirror</i></u>	The Honorable Scott K. York Chairman, Loudoun County Board of Supervisors 1 Harrison Street Leesburg, VA 20175	April 5, 2012	510090

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: July 12, 2012

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**Sandra K. Knight,**

Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

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